

CODE ENFORCEMENT  
SPECIAL MAGISTRATE HEARING  
HELD IN THE COUNCIL CHAMBERS  
260 ORANGE TREE DRIVE  
ATLANTIS, FL 33462  
December 23, 2014  
9:00 am  
MINUTES

Special Magistrate B. Douglas MacGibbon presided over the hearing, which commenced at 9:05 a.m. In attendance were: City Attorney Keith Davis, Sergeant Craig Brown, and City Clerk Kristen Puhalainen.

All parties were sworn in by Special Magistrate MacGibbon.

**Case No. 14-95      Wells Fargo Bank NA      265 N. Country Club Dr.**

**FINE ASSESSMENT HEARING:** Section 4-61(a); 4-62; 8.5-7(h) of the Code of Ordinances of the City of Atlantis: Dirty roof; Dirty driveway; Clutter and debris left on front porch; Lawn not maintained or mowed; Vegetation and hedges overgrown and not maintained; Weeds and overgrowth in flower beds; Green/improperly maintained swimming pool; Insects and rodents living around pool area.

Mr. Davis read the file documents submitted. Sergeant Brown testified to the facts in the case. Jared Schopper, a Real Estate ® broker representing Wells Fargo confirmed the evidence and testified on behalf of Wells Fargo.

**VIOLATION:** Section 4-61(a); 4-62 Roof sag/damage/buckling/leaking at rear of residence.

Mr. Davis introduced the case. Sergeant Brown testified to the facts in the case. Mr. Schopper testified on behalf of Wells Fargo.

It is the order of the Special Magistrate that the Respondent continue to comply with Sections 4-61(a); 4-62; and 8.5-7 of the Code of Ordinances of the City of Atlantis which were brought into compliance on December 4, 2014. A fine in the amount of \$500.00 is assessed at a daily amount of \$250.00 per day for the violations of Sections 4-61(a); 4-62; and 8.5-7(h) which existed between December 2 and December 4 2014. Further, the Respondent shall comply with sections 4-61(a) and 4-62 regarding roof damage and leaking by January 7, 2015 or face a fine of up to \$250.00 per day until found in compliance. Also, the Respondent is assessed \$103.68 for administrative costs incurred at the November 25 2014 hearing and \$103.44 for administrative costs incurred at the December 23<sup>rd</sup> hearing.

**Case No. 14-94      Bank of New York Mellon      457 Glenbrook Dr.**

**FINE ASSESSMENT HEARING:** Section 4-61(a); 4-62; 8.3-4; 8.3-7; 8.5-7(h); 13-4(d) of the Code of Ordinances of the City of Atlantis: Dirty roof; Window covered with plywood; Gutters filled with vegetative debris; Dirty driveway; trailer illegally parked in driveway; Tent illegally pitched in driveway; Clutter left on front porch; Driveway filled with clutter and debris; Vegetative debris left in driveway; Window shutters and storm shutters stored outside/leaning against exterior walls; Mailbox post broken and mailbox covered in mold; Lawn not maintained or mowed; Trees and shrubbery not maintained; Weeds and overgrowth in front planter; Uprooted tree on side of residence; Dilapidated palm tree in front yard; Illegal storage bin on east side of residence; Garbage cans and recycling bins stored improperly; Green/improperly maintained swimming pool.

Mr. Davis read the file documents submitted. Sgt. Brown testified to the facts of the case. The Respondent was not present.

**VIOLATION: 4-61(a); 4-62** Roof sag/damage/buckling/leaking at rear of residence

Mr. Davis confirmed the file documents submitted. Sgt. Brown testified to the facts of the case. The respondent was not present.

It is the order of the Special Magistrate that the respondent comply with Sections 4-61(a); 4-62 of the Code of Ordinances regarding roof damage, ceiling damage and wood rot by December 28, 2014. Also, a fine in the amount of \$6,000.00 is assessed at a daily amount of \$250.00 per day for the violations of Sections 4-61(a); 4-62; or 8.5-7(h) which existed beginning November 3, 2014, continuing at \$250.00 per day until compliance is achieved. If Sections 4-61(a); 4-62 are not in compliance by December 28, the daily fine of \$250.00 shall include these violations as well as the violations from the November 25, 2014 violation hearing. The Respondent is also assessed \$104.19 in administrative costs for the November hearing and \$104.10 in administrative costs for the December 23, 2014 hearing.

The hearing adjourned at 9:33 a.m.

Kristen Puhalainen  
City Clerk

NOTE: A mechanical recording has been made of the foregoing procedures of which these minutes are a part, and is on file in the office of the City Clerk.